

1 PAUL L. ALAGA, CSBN, 221165
 2 IAN KELLEY, CSBN 215393
 3 885 Bryant Street, 2nd Floor
 4 San Francisco, California 94103
 5 415-581-0885 Tel.
 6 415-581-0887 Fax.
 7 Attorneys for Le Thi Jackson dba The New Market

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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

LE THI JACKSON d.b.a. THE NEW MARKET,

Case No. 08-02770 EDL

Plaintiff,

vs.

THE UNITED STATES OF AMERICA,
 COURTNEY L. WILKERSON, in her capacity
 as Chief of the Administrative Review Branch
 for the Department of Agriculture, AND ED
 SCHAFER, in his capacity as the Secretary of
 Agriculture,

**DECLARATION OF ATTORNEY PAUL L.
 ALAGA IN SUPPORT OF REQUEST TO
 ENTER DEFAULT AGAINST
 DEFENDANTS THE UNITED STATES OF
 AMERICA, COURTNEY L. WILKERSON,
 in her capacity as Chief of the Administrative
 Review Branch for the Department of
 Agriculture, AND ED SCHAFER, in his
 capacity as the Secretary of Agriculture**

Defendants.

/

I declare as follows:

- 1) I am an attorney duly licensed in the United States District Court for North District of California and in that capacity I represent the plaintiff, Le Ti Jackson d.b.a. The New Market.
- 2) After reviewing a proof of service executed by Ian Kelley on June 6, 2008, I am informed and believe that on June 6, 2008, Ian Kelley, an attorney and co-counsel for plaintiff served upon The United States of America, Courtney L. Wilkerson, in her capacity as Chief of the Administrative Review Branch for the Department of Agriculture, and Ed Schafer, in his capacity as the Secretary of Agriculture, a copy of the Summons, Complaint, Order Setting Initial Status Conference, Standing

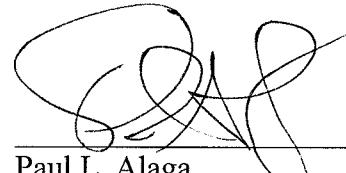
1 Order, ECF registration Information Handout, Welcome to the US District Court; ADR Booklet, and
2 a [Blank] Case Management Statement.

3) Proof of said service has been filed with this court through the ECF system on June 6, 2008;
4 Docket number 6, attached hereto as Exhibit A, Docket number 7 attached hereto as exhibit B, and
5 Docket 8, attached hereto as Exhibit C.

7) It has been over sixty (60) days since the defendants have been served in this matter. Each of
8 the defendants in this matter has failed to appear.

10 I declare under penalty of perjury that the foregoing is true and correct.

13 Dated: August 8, 2008



15 _____
16 Paul L. Alaga,
17 Attorney for Plaintiff

EXHIBIT A

1 PAUL L. ALAGA, CSBN, 221165
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LE THI JACKSON d.b.a. THE NEW MARKET, Case No. C08-02270

Plaintiff,

PROOF OF SERVICE

VS.

THE UNITED STATES OF AMERICA,
COURTNEY L. WILKERSON, in her capacity
as Chief of the Administrative Review Branch
for the Department of Agriculture, AND ED
SCHAFER, in his capacity as the Secretary of
Agriculture.

Defendants.

21 I declare under penalty of perjury that I served:

22 The Summons, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines;
23 Standing Order; ECF Registration Information Handout; Notice of Assignment to Magistrate Judge;
24 Welcome to US District Court; and ADR Booklet;
25 on the UNITED STATES OF AMERICA, COURTNEY L. WILKERSON, in her capacity as Chief
26 of the Administrative Review Branch for the Department of Agriculture, AND ED SCHAFER, in his
27 capacity as the Secretary of Agriculture,
28 by delivering a copy of each to an agent authorized by appointment or by law to receive it whose

1 name is Maris Buchholz at the FNS Western Regional Office 90 7th Street, San Francisco.

2

3 My fees are \$0.00 for travel and \$0.00 for services, for a total of \$0.00.

4

5 Dated: June 6, 2008

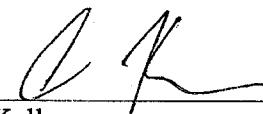
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Ian Kelley
885 Bryant Street, #202
San Francisco, CA 94103

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EXHIBIT B

Case 3:08-cv-02770-EDL Document 7 Filed 06/06/2008 Page 1 of 2

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9

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11 LE THI JACKSON d.b.a. THE NEW MARKET, Case No. C08-02270

12

13 Plaintiff,

PROOF OF SERVICE

14

vs.

15

16 THE UNITED STATES OF AMERICA,
17 COURTNEY L. WILKERSON, in her capacity
18 as Chief of the Administrative Review Branch
19 for the Department of Agriculture, AND ED
20 SCHAFFER, in his capacity as the Secretary of
21 Agriculture,

22

23 Defendants.

24 /

25

26 I declare under penalty of perjury that I served:

27

28 The Summons, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines;

29

30 Standing Order; ECF Registration Information Handout; Notice of Assignment to Magistrate Judge;

31

32 Welcome to US District Court; and ADR Booklet;

33

34 on the UNITED STATES OF AMERICA, COURTNEY L. WILKERSON, in her capacity as Chief

35

36 of the Administrative Review Branch for the Department of Agriculture, AND ED SCHAFFER, in his

37

38 capacity as the Secretary of Agriculture,

39

40 by delivering a copy of each to an agent authorized by appointment or by law to receive it whose

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5 Dated: June 6, 2008

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EXHIBIT C

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LE THI JACKSON d.b.a. THE NEW MARKET, Case No. C08-02270

Plaintiff,

PROOF OF SERVICE

vs.

THE UNITED STATES OF AMERICA,
COURTNEY L. WILKERSON, in her capacity
as Chief of the Administrative Review Branch
for the Department of Agriculture, AND ED
SCHAFFER, in his capacity as the Secretary of
Agriculture,

Defendants.

I declare under penalty of perjury that I served:

The Summons, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines; Standing Order; ECF Registration Information Handout; Notice of Assignment to Magistrate Judge; Welcome to US District Court; and ADR Booklet; on the UNITED STATES OF AMERICA, COURTNEY L. WILKERSON, in her capacity as Chief of the Administrative Review Branch for the Department of Agriculture, AND ED SCHAFER, in his capacity as the Secretary of Agriculture, by delivering a copy of each to an agent authorized by appointment or by law to receive it whose

1 name is Maris Buchholz at the FNS Western Regional Office 90 7th Street, San Francisco.

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